

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**IN RE: HAIR RELAXER MARKETING
SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

MDL No. 3060

Case No. 23 C 818

Judge Mary M. Rowland

This document relates to:

All Cases

STATUS REPORT

The Plaintiff Leadership Committee (“PLC”) submits this Status Report to the Court and provides the Court with this update as directed by this Court’s Minute Entry dated May 31, 2024 [Dkt. 691], and later amending the deadline in this Court’s Minute Entry dated August 2, 2024 [Dkt. 785].

The PLC, for the reasons set forth below, has determined that the filing of a Master Complaint against Walgreens Co. (“Walgreens”) and CVS Pharmacy (“CVS”) is not warranted. Specifically, the only short form complaint filed in the MDL against Walgreens was filed by a *pro se* litigant on February 21, 2024. The PLC notes also that CVS has also been named in one short form complaint filed in the MDL on June 24, 2024. Of note, CVS is represented by the same counsel as Walgreens. To date, after a year and a half of litigation and over 10,000 cases filed in the MDL, one filed case has named Walgreens and one filed case has named CVS - no other Plaintiff has named either Walgreens or CVS as a defendant.

Accordingly, the PLC believes that the better course for the submission of any short form complaint in the future that may name Walgreens and/or CVS is through the processes set forth in CMO 8 (the Direct Filing CMO). CMO 8 permits plaintiffs (either represented by counsel or *pro*

se) to write in a defendant in the short form complaint who was not named as a defendant in the Master Complaint, and assert allegations against said defendant in the write-in section on the agreed to short form complaint. This process allows any future Plaintiff to name Walgreens or CVS – and assert allegations – if they so choose. However, the PLC does not believe that a Master Complaint is warranted at this juncture given the paucity of cases pending against these two defendants. Furthermore, Walgreens’ and CVS’ legal interests are protected because they can – as with any defendant the PLC has not named in a Master Complaint – file a motion to dismiss or have the matter addressed in some other manner, for example as was done with newly identified defendant J.Strickland.¹

The PLC respectfully submits through this Status Report that its intention is *not* to file a Master Complaint against Walgreens and CVS.

Date: August 12, 2024

Respectfully Submitted,

/s/Edward A. Wallace

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¹ Or a newly identified defendant may agree to be dismissed without prejudice, conduct informal discovery and provide those plaintiffs with a tolling agreement, as was done with J. Strickland. [Dkt 783].

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